

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL MALOTT,

Plaintiff,

Case No. 19-cv-12254

Hon. Matthew F. Leitman

v.

JODI D'ANGELO, *et al.*,

Defendants.

**ORDER (1) CONSTRUING PLAINTIFF'S LETTER (ECF #8) AS A
MOTION TO DISMISS COMPLAINT, (2) GRANTING MOTION TO DISMISS,
AND (3) DISMISSING COMPLAINT WITHOUT PREJUDICE**

On July 31, 2019, Plaintiff Michael Malott filed this prisoner civil-rights action against Defendants Jodi D'Angelo and Janine Guastella. (*See* Compl., ECF #1.) On August 21, 2019, Malott filed a letter with the Court in which he says that he does not “want to pursue [this action] right now.” (Letter, ECF #8 at Pg. ID 26.) Malott therefore asks the Court to “send [the lawsuit] back to him” and to “not file it.” (*Id.*)

The Court construes Malott's August 21 letter as a motion to dismiss his Complaint. For the reasons stated in the August 21 letter, the Court **GRANTS** Malott's motion and **DISMISSES** Malott's Complaint **WITHOUT PREJUDICE**.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: August 22, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 22, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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